

HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

WRIT PETITION No.14046 OF 2001

Between:

-
K. Radhakrishna

... Petitioner

AND

The Managing Director,
The Transmission of Power Corporation
Limited, A.P., Vidyuth Soudha, Somajiguda,
Hyderabad and two others

... Respondents.

:: ORDER ::

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Counsel for the petitioner : Shri
Allabakash

Counsel for the respondents : Shri Samineni Kishore

February 21, 2007

This petition is directed against communication dated 23-12-1998 vide which Superintending Engineer, Operation Circle, Anantapur (respondent No.3) rejected the petitioner's claim for appointment as Typist in accordance with the policy contained in B.P.Ms.No. 36 dated 18-5-1997 on the ground that the service certificate produced by him is not genuine and also on the ground that he was not on the rolls of the erstwhile Andhra Pradesh State Electricity Board (for short, 'the Board') on 18-5-1997.

The petitioner claims to have worked with the contractor Shri T.V. Kalanath from March 1991 to January 1992. After circulation of

the above referred policy decision of the Board, he represented for consideration of his candidature for absorption in the services of the Board. Later on, he filed Writ Petition No. 741 of 2000 which was disposed of by the learned Single Judge on 18-7-2000 by directing the respondents to consider his case for appointment in accordance with the policy framed by the Board. In compliance of the direction given by the Court, the petitioner was interviewed by respondent No.3, but his claim was rejected on the grounds set out hereinabove.

I have heard learned counsel for the parties and perused the record.

Even though one of the reasons assigned by respondent No.3 for refusing to entertain the petitioner's claim viz., that he was not on the rolls on 18-5-2007 is legally unsustainable, relief in terms of the prayer made in the writ petition cannot be granted because the service certificate allegedly issued in his favour by the contractor has not been counter signed by any officer of the Board. The petitioner has not produced any other contemporaneous evidence to prove that he had worked with the contractor in relation to execution of the work assigned by the Board. Therefore, it must be held that respondent No. 3 did not commit any illegality by refusing to consider his candidature for appointment as Typist.

With the above observation, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, interim order dated 16-8-2001 shall stand vacated and WPMP No.17575 of 2001 shall stand dismissed.

G.S.SINGHVI, C.J.

February 21, 2007

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